IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3200 OF 2003
IN
MISC.PETITON NO.1559 OF 1976

Shree Nityanand Steel Rollings Mills..Plaintiffs

Vs.

Maharashtra State Electricity Board ..Defendants

Mr.M.A.Rochiramani i/b Rochi and Rochi for the plaintiffs

None for the defendants

CORAM : S.U.KAMDAR, J
DATED : 1ST MARCH, 2006

P.C.:

1. The present motion has been taken out for withdrawal of the sum of Rs.20,000/- deposited by the plaintiffs as fixed deposit. The said deposit has been made in Misc.petition No.1559 of 1976. Petition is already been disposed of with a direction to the plaintiffs to file a suit.

2. It is the case of the plaintiffs that the suit was filed and the matter is resolved between the parties. On 19.3.01, M.S.E.B. has also given a letter that the entire payment has been received

towards full and final settlement of the dues which is annexed at Ex. A to the affidavit in support of the notice of motion. Defendants are served. Affidavit of Service dt.30.1.04 is taken on record. None appears for the defendants inspite of service. In that light of the matter, motion is made absolute in terms of prayer clause (a) and (b). No order as to costs.